

LOC. R. 11.1**RECORDING OF PROCEEDINGS**

(A) The Court will make a digital recording of proceedings as the official record of the Court. Parties who desire to have a contemporaneous stenographic record of the proceedings must make their own arrangements, at least twenty-four (24) hours prior to the scheduled hearing, for a court reporter to appear at the hearing. The requesting party shall pay the costs associated with the stenographic record of the hearing unless otherwise ordered by the Court.

(B) Any interested person may request a recording of a hearing be transcribed by a stenographer approved by the Court. The person making the request shall pay the cost of transcription. THE COURT WILL CONVEY THE RECORDING TO A STENOGRAPHER. A transcript filed with the Court under this paragraph shall supersede the digital recording as the official record of the Court.

(C) The Court will allow a person to listen to a recording of a hearing at the Court upon request made no less than twenty-four (24) hours in advance.

(D) An interested party will not be allowed to use the contents of a recording in subsequent pleadings filed with the Court or in argument before the Court unless a transcript of the entire hearing is filed with the Court as provided in paragraph (B) of this rule.

(E) All digital recorded proceedings will be maintained by the Court for three (3) years from the date of the hearing. Any interested person desiring to preserve the

record beyond that period must arrange to have the record transcribed as provided by paragraph (B) of this rule and file the transcript in the underlying case.

(F) UPON FILING AN OBJECTION TO A MAGISTRATE'S DECISION OR A NOTICE OF APPEAL, AN OBJECTOR OR APPELLANT WHO IS REQUIRED OR DESIRES TO FILE A TRANSCRIPT OF A HEARING MUST CONTACT A COURT REPORTING SERVICE TO HAVE THE TRANSCRIPT PREPARED. THE PERSON REQUESTING THE TRANSCRIPT SHALL DIRECT THE COURT REPORTING SERVICE TO CONTACT THIS COURT TO OBTAIN A COPY OF THE DIGITAL RECORD OF HEARING. THE OBJECTOR OR APPELLANT MUST FILE THE COMPLETED TRANSCRIPT IN THIS COURT WITHIN THE TIME LIMITS OF THE LOCAL RULES OF COURT, RULES OF CIVIL PROCEDURE, OR THE RULES OF APPELLATE PROCEDURE. WHEN THE TRANSCRIPT IS FILED BY AN APPELLANT, THIS COURT WILL CERTIFY THE TRANSCRIPT TO THE COURT OF APPEALS.

SUP. R. 57 FILINGS AND JUDGMENT ENTRIES

LOC. R. 57.17 ACCOUNT NUMBERS

ALL FINANCIAL ASSET ACCOUNT NUMBERS IN ANY PUBLIC RECORD DOCUMENT FILED IN THIS COURT SHALL DISCLOSE ONLY THE LAST FOUR DIGITS OF THE ACCOUNT NUMBER. IT IS THE RESPONSIBILITY OF THE PERSON FILING THE DOCUMENT TO REDACT THE REMAINING DIGITS OF THE ACCOUNT NUMBER.

SUP.R. 58 DEPOSIT FOR COURT COSTS

LOC. R. 58.1 DEPOSITS

The business of this Court shall be conducted on a cash basis. The Court will not accept fiduciary or personal checks. The Court will only accept cash, money orders, cashier's checks, attorney, title company, or trust company checks.

- (A) Filing an application for appointment of any estate fiduciary shall require a minimum deposit of One Hundred Twenty-five and No/100 Dollars (\$125.00), however, the Court recommends a deposit of Two Hundred FIFTY and No/100 Dollars ~~(\$200.00)~~ (\$250.00);
- (B) Filing any complaint, except for the presentation of a claim or a land sale, shall require a minimum deposit of One Hundred Fifty and No/100 Dollars (\$150.00);
- (C) Filing a complaint for a land sale shall require a minimum deposit of One Hundred Seventy Five and No/100 Dollars (\$175.00);
- (D) Filing a presentation of a claim against an estate with the Court pursuant to Ohio R.C. 2117.06(A)(2) shall require the filing of a civil action and a minimum deposit of Seventy-five and No/100 Dollars (\$75.00); and,
- (E) Filing a subpoena shall require a minimum deposit of Thirty-Eight and No/100 (\$38.00) for in county Sheriff service and Twelve and No/100 Dollars (\$12.00) for the witness fee. Subpoenas served out of county may

require additional deposits and shall include a check for witness and mileage fees made payable to the witness.

- (F) In all cases of decedent's estates, civil actions and any other matters requiring a deposit, the fiduciary or plaintiff shall be required to maintain a positive balance in the deposit account. IF FILINGS ARE PRESENTED TO THE COURT IN CASES WITH INSUFFICIENT FUNDS ON DEPOSIT, THE INDIVIDUAL RESPONSIBLE FOR THE FILING SHALL PAY THE COST OF THE FILING OR TENDER AN ADDITIONAL DEPOSIT BEFORE THE FILINGS WILL BE ACCEPTED.

- (G) *The Daily Reporter*, published by The Daily Reporter, Inc., is designated as the law journal in which the calendar of the Court, including such proceedings and notices as required by law or designated by the Judge, is published. These publication charges shall be charged as costs.

(Eff. 01/01/06)

SUP. R. 58 DEPOSIT FOR COURT COSTS

**LOC. R. 58.4 FILING TRANSCRIPTS, EXHIBITS, OR ~~FOREIGN~~
RECORDS**

The filing fee required by Ohio R.C. 2101.16(A)(57) shall be paid at the time of filing the transcript, exhibits, or ~~foreign~~ records.

SUP. R. 61 APPRAISERS

LOC. R. 61.1 APPRAISERS' FEES

(A) Appraisers' fees for real estate shall be based upon the entire undivided value of the assets subject to appraisal (not the decedent's interest in the property which may be fractional). Fees shall be computed at the rate of:

- (1) \$1.50 per thousand for the first \$200,000 of valuation;
- (2) \$1.00 per thousand in excess of \$200,000 of valuation;
- (3) The minimum appraiser fee shall be ~~\$400~~ \$150.

When an appraisal of multiple properties is performed, the above fee schedule shall apply to each property, not the aggregate value of all properties. Fees paid in compliance with this rule may be paid without application and entry.

(B) If a Franklin County appraiser is employed to appraise real estate located in another county, in addition to the fee calculation in paragraph (A) above, the appraiser may also charge a mileage fee.

(C) Any appraiser fee requested in excess of the above schedule and appraisals of personalty must either be by agreement between the fiduciary and the appraiser or must be approved by the Court prior to the appraisal being made.

(D) Unless there is a dispute, or an appraisal is required for other purposes, a Court-appointed appraiser shall not be necessary in the following situations:

- (1) In estates relieved from administration, a statement attesting to the auditor's appraised value, signed by a representative of the County Auditor or a Deputy Clerk of the Probate Court, will be accepted as

the appraised value of the real estate for Probate Court purposes and on the Ohio estate tax return.

(2) Where the estate is comprised of personal property of readily ascertainable value.

(E) All appraisers shall give to the fiduciary and the attorney of record a written appraisal of each property appraised on the appropriate form provided by the Court or a form which is in substantial compliance therewith. The signature of the appraiser shall constitute a certification that the appraisal was performed truly, honestly, and impartially.

(F) Appraisers' fees shall be paid within one (1) month after the filing of the inventory or sixty (60) days after the completion of the appraisal, whichever occurs first unless otherwise ordered by the Court. The proceedings shall remain open until the fiduciary has accounted for the payment of the appraisal fee. Should payment not be made pursuant to this rule, the fiduciary shall be held personally liable for the payment of the appraisers' fees.

SUP. R. 64 ACCOUNTS

LOC. R. 64.7 TIME FOR FILING

A) For decedents' estates, the final and distributive account due within six (6) months after appointment of the fiduciary may be extended by Motion to thirteen (13) months for the reasons enumerated in Ohio R.C. 2109.301(B)(1). All subsequent accounts must be filed on an annual basis unless the Court otherwise orders. Accounts not filed in compliance with this rule shall be subject to citation.

(B) For guardianships and trusts, the first account shall be filed not later than one (1) year following the date of the appointment of the fiduciary and all subsequent accounts shall be filed on an annual basis, unless otherwise ordered by the Court.

(C) IF ALL OF THE ASSETS OF A FIDUCIARY DESCRIBED IN OHIO R.C. 2109.30 ARE IN CUSTODIAL DEPOSITORIES PURSUANT TO OHIO R.C. 2109.13, THE STATEMENTS FILED BY THE CUSTODIAL DEPOSITORIES WITH THE COURT REQUIRED BY LOC. R. 75.3 WILL BE ACCEPTED BY THE COURT IN LIEU OF FIDUCIARY ACCOUNTS.

SUP. R. 64 ACCOUNTS

LOC. R. 64.8 ACCOUNT NUMBERS

ALL FINANCIAL ASSET ACCOUNT NUMBERS LISTED IN A FIDUCIARY'S ACCOUNT PURSUANT TO OHIO R.C. 2109.30 SHALL DISCLOSE ONLY THE LAST FOUR (4) DIGITS OF EACH ACCOUNT NUMBER. IT IS THE RESPONSIBILITY OF THE PERSON FILING THE ACCOUNT TO REDACT THE REMAINING DIGITS OF EACH ACCOUNT NUMBER.

SUP. R. 66 GUARDIANSHIPS

LOC. R. 66.6 GUARDIAN'S REPORT

~~The guardian of the person shall file the guardian's report. If there is only a guardian of the estate, the guardian's report must be filed by this guardian.~~ A GUARDIAN'S REPORT SHALL BE FILED ANNUALLY IN ALL ADULT GUARDIANSHIPS BY THE GUARDIAN OF THE PERSON. IN CASES WHERE A

GUARDIAN OF THE ESTATE EXISTS AND NO GUARDIAN OF THE PERSON, THE GUARDIAN OF THE ESTATE SHALL FILE THE ANNUAL GUARDIAN'S REPORT. THE GUARDIAN'S REPORT SHALL INCLUDE A STATEMENT OF EXPERT EVALUATION UNLESS DISPENSED WITH AS SET FORTH BELOW.

~~Where~~ WHEN a physician or clinical psychologist states on a AN ANNUAL Statement of Expert Evaluation, that ~~to~~ WITH a reasonable degree of medical certainty it is unlikely the ward's mental competence will improve, UPON APPLICATION BY THE GUARDIAN the Court may dispense with the filing of ~~subsequent~~ Statements of Expert Evaluation when filing ~~their~~ subsequent ~~biennial~~ ANNUAL Guardian's Reports. (LOCAL FORM 17.1D)

SUP. R. 71 COUNSEL FEES

LOC. R. 71.3 EARLY PAYMENT OF ATTORNEY FEES

Attorney fees for the administration of decedents' estates shall not be paid or advanced from any source until the final account or final closing documents are prepared for filing unless otherwise approved by the Court upon application. Such application shall contain a statement that the fee is being required in advance of the time permitted by Sup. R. 71(B) and shall set forth the reason for requesting the early payment of fees. The application shall be accompanied by a consent as to the amount and the timing of the fees by all ~~beneficiaries who have yet to receive their complete distribution or shall be set for hearing with notice to the nonconsenting beneficiaries.~~ PERSONS WHOSE INTERESTS ARE AFFECTED BY THE PAYMENT OF THE FEES, INCLUDING CREDITORS. IF

CONSENT IS NOT GIVEN BY ONE HUNDRED PERCENT (100%) OF THOSE PERSONS WHOSE INTERESTS ARE AFFECTED BY THE PAYMENT OF THE FEES, THE MATTER SHALL BE SET FOR HEARING WITH NOTICE TO ALL NON CONSENTING AFFECTED PERSONS.

SUP. R. 75 LOCAL RULES

LOC. R. 75.2 ADOPTIONS

(A) An original and a copy of all petitions, interlocutory decrees, and final decrees shall be filed in every adoption case. Additional copies of the petition shall be submitted as required for service.

(B) In private placement adoptions, a preplacement application in a form prescribed by the Court shall be filed by the proposed adopting parents not less than fifteen (15) days prior to placement if applicants are residents of Franklin County, Ohio, and not less than thirty (30) days prior to placement if applicants are not residents of Franklin County, Ohio.

(C) Once the applications have been approved by the Court, a hearing shall be held not less than seventy-two (72) hours after the birth of the child or after the parent(s) have met with the adoption assessor, whichever occurs later, for the placement and consent by the parents. Prior to the placement hearing, the Court shall be supplied with a statement from the child's physician as to the medical condition of the child to be placed. If the placement is approved, the adoption petition must be filed before the Court will issue a Hospital Release for the release of the child to the petitioners or the attorney for the petitioners. ~~When the petitioner is the guardian of the minor to be adopted, the Court~~

~~shall require a placement hearing. The adoption petition shall not be set for hearing until after the placement is complete.~~

(D) WHEN THE PETITIONER IS THE GUARDIAN OF THE MINOR TO BE ADOPTED, THE COURT SHALL REQUIRE A PLACEMENT HEARING. THE ADOPTION PETITION SHALL NOT BE SET FOR HEARING UNTIL AFTER THE PLACEMENT IS COMPLETE.

~~(D)~~(E) In all adoption cases, Court costs are required to be paid at the time of the filing. The Court should be consulted in advance for current deposit information.

~~(E)~~(F) The criminal background checks pursuant to Ohio R.C. 2151.86(B) and petitioner's accounts shall be filed in all cases.

~~(F)~~(G) In all adoptions, married petitioner(s) must be married for not less than one (1) year prior to the final approval of the adoption.

~~(G)~~(H) In all placement hearings where a birth parent of the child to be adopted is a minor, that birth parent shall be represented by an attorney. The fees for the attorney for the birth parent will be assessed as costs to the petitioner.

~~(H)~~(I) All adoption assessors who meet with the birth parent(s) in the course of preparing a report for an adoption proceeding in this Court, shall provide the birth parent(s) with a copy of the brochure prepared pursuant to Ohio R.C. 3107.082 and 3107.083.

Any adoption assessor providing the birth parent(s) with a copy of this brochure shall file a Certificate of Service by Adoption Assessor form prior to the first hearing in

the adoption proceeding concerning the child of the birth parent(s) who received the brochure.

(~~F~~)(J) A private child placing agency shall be deemed to be located at the principal office or principal location in Ohio most recently disclosed by the agency to the Ohio Secretary of State.

(~~J~~)(K) A FINAL PETITIONER'S ACCOUNTING WHICH COMPLIES WITH OHIO R.C. 3107.055 SHALL BE FILED IN ALL ADOPTION PROCEEDINGS. A PRELIMINARY ESTIMATE IS NOT REQUIRED TO BE FILED IN STEPPARENT, ADULT, OR FOREIGN ADOPTIONS.

SUP. R. 75 LOCAL RULES

LOC. R. 75.17 ~~VIRTUAL~~ ELECTRONIC RETURN RECEIPT SERVICE

THE COURT IS UTILIZING ELECTRONIC RETURN RECEIPTS FROM THE UNITED STATES POSTAL SERVICE FOR CERTIFIED MAIL SERVICE DEVELOPED in a ~~pilot~~ project under the direction of the Ohio Supreme Court ~~to received electronic receipts from the United States Postal Service for certified mail service.~~ Therefore, electronic proof of service for certified or express mail sent by the Court pursuant to the ~~virtual~~ ELECTRONIC RETURN RECEIPT program shall be deemed in compliance with the service requirements of Civil Rule 73 AND CIVIL RULES 4.0 THROUGH 4.6.

SUP. R. 78 CASE MANAGEMENT IN DECEDENT'S ESTATES,
GUARDIANSHIPS, AND TRUSTS

LOC. R. 78.3 INVENTORY

(A) In lieu of the appraiser signing the estate inventory, the fiduciary may attach to the inventory the original appraisal(s) containing the signature of the appraiser(s).

(B) The inventory shall contain the address, legal description, and parcel number of the interest in the real estate of the decedent or ward.

(C) All inventories for a decedent's estates shall be filed in duplicate, the original and a copy.

(D) The inventory will not be accepted for filing unless the bond, when required, is sufficient pursuant to Loc. R. 75.4. A guardian's inventory shall include the projected annual income of the ward.

(E) The Court will not approve the distribution, sale, or expenditure of any estate or guardianship assets prior to the filing of the inventory.

(F) All fiduciaries must sign the inventory when multiple fiduciaries have been appointed.

(G) ALL FINANCIAL ASSET ACCOUNT NUMBERS IN AN INVENTORY SHALL DISCLOSE ONLY THE LAST FOUR (4) DIGITS OF EACH ACCOUNT NUMBER. IT IS THE RESPONSIBILITY OF THE PERSON FILING THE

INVENTORY TO REDACT THE REMAINING DIGITS OF EACH ACCOUNT
NUMBER.